

FILED  
U.S. DISTRICT COURT  
DISTRICT OF MARYLAND

THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

2012 OCT 24 P 4:28

CLERK'S OFFICE  
AT BALTIMORE

CHAD JOHNSON, TODD BAGLEY, and  
ANDREW CHAN,

Plaintiffs,

v.

AAI CORPORATION and AAI SERVICES  
CORPORATION,

Defendants.

BY: \_\_\_\_\_ CLERK

Civil Action No. 1:11-cv-03298-ELH

**PROPOSED** ORDER GRANTING PRELIMINARY APPROVAL OF FLSA  
COLLECTIVE ACTION SETTLEMENT

WHEREAS, this action is pending before this Court as a Fair Labor Standards Act ("FLSA") collective action (the "Action"); and

WHEREAS, counsel for the Named Plaintiffs and counsel for Defendants have jointly applied to this Court for an order certifying the action as a collective action and approving the settlement of the action in accordance with a Stipulation and Settlement Agreement (the "Agreement"), which, together with the exhibits annexed thereto, sets forth the terms and conditions for a proposed settlement; and the Court having reviewed the Agreement and the exhibits annexed thereto, and being otherwise duly advised in the premises;

IT IS HEREBY ORDERED THAT:

1. The FLSA claims asserted in this action may proceed as a collective action. Should, for any reason, the settlement not become final, the fact that the parties were willing to stipulate to the certification of a collective action as part of the settlement shall have no bearing

on, nor be admissible in connection with, the issue of whether a collective class should be certified in a non-settlement context.

2. The Court hereby grants preliminary approval of the settlement set forth in the Agreement as fair, adequate and reasonable, and in the best interests of the Named Plaintiffs and the Plaintiff Class.

3. The law firm of Rubin, Fortunato & Harbison P.C. is appointed and designated as counsel for the Plaintiff Class ("Class Counsel"). Class Counsel are authorized to act on behalf of all current and former employees of Defendants who have worked as Field Service Engineers (also known as Field Service Representatives) attached to an active Army, Marine, or National Guard Shadow Tactical Unmanned Aircraft System ("TUAS") unit with a home base within the fifty U.S. states at any time between October 1, 2009 and September 30, 2012 (the "Plaintiff Class"), with respect to all acts or consents required by, or which may be given pursuant to, the settlement, and such other acts reasonably necessary to consummate the settlement. Any potential members of the Plaintiff Class who opt-in to the settlement may enter an appearance through counsel of their own choosing and at their own expense. Any potential members of the Plaintiff Class who do not enter an appearance through counsel, or indicate a desire to represent themselves, will be represented by Class Counsel.

4. The Court approves, as to form and content, the Notice and Claim Form attached hereto.

5. The Court confirms the retention of Heffler Claims Administration as Settlement Administrator.

6. Any potential members of the Plaintiff Class who wish to participate in the settlement shall return their Claim Forms to the Settlement Administrator, postmarked no later

than 2/5/13. After opting in, any members of the Plaintiff Class may object to the proposed settlement by filing written objections with the Court in advance of the settlement hearing and/or by appearing and being heard at the settlement hearing.

7. The Court will hold a hearing at 10 a.m. on 3/1/13, to consider whether to enter a Final Judgment and Order approving the proposed settlement.

SO ORDERED.

DATE: 10/24/12

Ellen L. Hollander  
The Honorable Ellen L. Hollander  
United States District Judge  
U.S. District Court for the District of Maryland